

OGC Has Reviewed

Comptroller

15 January 1954

Chief, Finance Division

Expenses of Income Tax Reporting by Contract Agents

REFERENCES: Memorandum to Office of General Counsel from Chief, IO Division, dated 17 December 1953, same subject, copy attached.

Memorandum for Finance Division from Office of General Counsel, same subject, copy attached.

1. The attached copy of IO Division memorandum, dated 17 December 1953, discusses a case wherein the Finance Division disallowed a claim by a contract agent for reimbursement of expense of legal counsel consulted in connection with preparation of his income tax return. The memorandum of General Counsel, dated 30 December 1953, indicates that in the circumstances cited reimbursement of the lawyer's charges would be proper.

2. Although the opinion of General Counsel appears to adequately establish the legal propriety of reimbursement of the disallowed expenses, in view of the precedent which would be established if a claim of the type here presented is honored, we feel that the matter should be reviewed from an administrative viewpoint prior to acceptance of the claim. Accordingly, your review and instructions as to the position we should take in the matter are requested.

legal

Attachments

PD/LEB:act

cc: Chief, O&L, PD
Chief, IO Div.
Off. Gen. Counsel
Registry Follow-up